IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.13958 of 2000

Between:

A. Mohan Rao, S/o. A.Venkateswarlu.
R/o H.No.A1-176, HMT Shathavahana Nagar,
Opp. K.P.H.B. Colony, Kukatpally, Hyderabad-72.

..... PETITIONER

AND

1 Union of India, Rep. Secretary.
Ministry of Food and Consumer Affairs, New Delhi.

2 The Consumer District Forum-I, Hyderabad District.
9th Floor, Chandra Vihar Building, M.J.Road,
Hyderabad.

3 J. Raja Rao, S/o. Late J. Benjiman (Father of Kum.J.Nirmala)
Plot.No.22/B, Road No.2,
Laxminagar Colony, Karmanghat, Hyderabad-74

4 Ch. Venkataiah, S/o. Gopaiah. (Father of Kum.Ch.Satyamma)
R/o 3-3-4-46/1, Rajendranagar,
Ramanthapur, Hyderabad.

5 G. Parameswar, S/o. G.Yadhagiri, (Father of Kum.G.Sandhya),
R/o 2-2-186/3, Thurabnagar,
Amberpet, Hyderabad-13.

6 Smt. S. Deva Kumari, W/o. S.Bhaskar Rao. (Mother of
Kum. S. Esther Rani),

R/o 2-3-692/C/3, Annapurna Nagar,
Near Ali Cafe Cross Roads, Amberpet, Hyderabad-13.

7 Kum.N. Jyothi, D/o. Late N.George.(Sister of
Kum.N.Prasanthi),
R/o 2-3-692/C/3, Annapurnanagar Near Ali Cafe "X" Roads,
Amberpet, Hyderabad-13.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring Sec. 27 of the Consumer Protection Act, 1986, as arbitrary, unreasonable and violative of Articles 14 and 19(1) (g) of the Constitution of India, and consequently declare the proceedings in P.P.No.129/99 in C.D.No.521/99 on the file of Consumer Disputes Redressal
Forum-I, Hyderabad, as void abinitio, null and void and nonest in the eye of law.

Counsel for the Petitioner: MR. E.V.S.S. ACHARYULU

Counsel for Respondent No.1: Mr. A. Rajasekhara Reddy,
Sr. S.C. for C.G.

Counsel for Respondent No.2: G.P. for Cooperation.

Counsel for Respondent Nos.3 to 7: Mr. B.V. Bakshi,, Advocate.

The Court made the following :

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ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam v. Union of India & Others***.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

PV

To

1 The Secretary, Union of India,
Ministry of Consumer Forums, Ministry of Civil Supplies,

Government of India, New Delhi.

2. The Chairman, Consumer Disputes Redressal Forum,
Hyderabad District, Hyderabad.

3. Two C.Cs. to G.P. for Cooperation,

High Court of A.P., Hyderabad (O.U.T.).

4. Two C.D. copies.